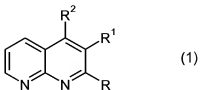


## AMENDMENTS TO THE CLAIMS

1. (Currently amended) The compound of the general formula (1):



wherein

R is halo;

R<sup>1</sup> is aryl or heteroaryl;

R<sup>2</sup> is NR<sup>3</sup>R<sup>4</sup>,

wherein R<sup>3</sup> and R<sup>4</sup> are independently H, C<sub>1-8</sub> alkyl, C<sub>2-8</sub> alkenyl, C<sub>2-8</sub> alkynyl,

or wherein R<sup>3</sup> and R<sup>4</sup> together form a C<sub>3-7</sub> alkylene or C<sub>3-7</sub> alkenylene chain optionally substituted with one or more C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy groups;

or wherein R<sup>3</sup> and R<sup>4</sup> together with the nitrogen atom to which they are attached form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine *N*-(C<sub>1-4</sub>)alkyl ring;

and wherein

said alkyl, alkenyl, or alkynyl groups are optionally substituted with halogen, cyano, C<sub>1-6</sub>alkoxy, C<sub>1-6</sub>alkylcarbonyl, C<sub>1-6</sub>alkoxycarbonyl, C<sub>1-6</sub>haloalkoxy, C<sub>1-6</sub>alkylthio, tri(C<sub>1-4</sub>)alkylsilyl, C<sub>1-6</sub>alkylamino or C<sub>1-6</sub>dialkylamino;

said morpholine, thiomorpholine, and piperazine rings are optionally substituted with C<sub>1-4</sub> alkyl; and

said aryl or heteroaryl groups ~~or moieties~~ are optionally substituted with one or more substituents selected from the group consisting halo, hydroxy, mercapto, C<sub>1-6</sub>alkyl, C<sub>2-6</sub>alkenyl, C<sub>2-6</sub>alkynyl, C<sub>1-6</sub>alkoxy, C<sub>2-6</sub>alkenyloxy, C<sub>2-6</sub>alkynyloxy, halo(C<sub>1-6</sub>)alkyl, halo(C<sub>1-6</sub>)alkoxy, C<sub>1-6</sub>alkylthio, halo(C<sub>1-6</sub>)alkylthio, hydroxy(C<sub>1-6</sub>)alkyl, C<sub>1-4</sub>alkoxy(C<sub>1-6</sub>)alkyl, C<sub>3-6</sub>cycloalkyl, C<sub>3-6</sub>cycloalkyl(C<sub>1-4</sub>)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR<sup>'''</sup>R<sup>'''</sup>, -NHCOR<sup>'''</sup>, -NHCONR<sup>'''</sup>R<sup>'''</sup>, -CONR<sup>'''</sup>R<sup>'''</sup>, -SO<sub>2</sub>R<sup>'''</sup>, -OSO<sub>2</sub>R<sup>'''</sup>, -COR<sup>'''</sup>, -CR<sup>'''</sup>=NR<sup>'''</sup> and -N=CR<sup>'''</sup>R<sup>'''</sup>, in which R<sup>'''</sup> and R<sup>'''</sup> are independently hydrogen, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub> alkoxy, halo(C<sub>1-4</sub>)alkoxy, C<sub>1-4</sub> alkylthio, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>) alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy.

2. (Previously presented) A compound according claim 1 wherein:

(A)  $R^3$  is  $C_{1-8}$  alkyl, halo( $C_{1-8}$ ) alkyl, hydroxy( $C_{1-8}$ )alkyl,  $C_{1-4}$  alkoxy( $C_{1-8}$ )alkyl,  $C_{1-4}$  alkoxyhalo( $C_{1-8}$ )alkyl, tri( $C_{1-4}$ )alkylsilyl( $C_{1-6}$ )alkyl,  $C_{1-4}$  alkylcarbonyl( $C_{1-8}$ )alkyl,  $C_{1-4}$  alkylcarbonylhalo( $C_{1-8}$ )alkyl, phenyl( $1-4$ ) alkyl,  $C_{2-8}$  alkenyl, halo( $C_{2-8}$ )alkenyl,  $C_{2-8}$  alkynyl; and  $R^4$  is H,  $C_{1-4}$  alkyl, halo( $C_{1-4}$ )alkyl or amino; or

(B)  $R^3$  and  $R^4$  together form a  $C_{3-7}$  alkylene or  $C_{3-7}$  alkenylene chain optionally substituted with methyl; or

(C)  $R^3$  and  $R^4$ , together with the nitrogen atom to which they are attached, form a morpholine, thiomorpholine, piperazine or piperazine *N*-( $C_{1-4}$ )alkyl ring, in which the morpholine or piperazine rings are optionally substituted with methyl.

3. (Previously presented) A compound according to claim 1 wherein  $R^1$  is phenyl optionally substituted with from one to five halogen atoms or with from one to three substituents selected from halo,  $C_{1-4}$  alkyl, halo( $C_{1-4}$ )alkyl,  $C_{1-4}$  alkoxy or halo( $C_{1-4}$ )alkoxy.

4. (Original) A compound according to claim 3 wherein  $R^1$  is 2,6-difluorophenyl, 2-fluoro-6-chlorophenyl, 2,5,6-trifluorophenyl, 2,4,6-trifluorophenyl, 2,6-difluoro-4-methoxyphenyl or pentafluorophenyl.

5. Cancelled.

6. (Currently amended) A compound according to claim 1 wherein:

(A)  $R^3$  is  $C_{1-8}$  alkyl, halo( $C_{1-4}$ )alkyl,  $C_{2-4}$  alkenyl; and  $R^4$  is H, or  $C_{1-4}$  alkyl;

(B) or wherein  $R^3$  and  $R^4$  together form a  $C_{3-7}$  alkylene chain optionally substituted with  $C_{1-4}$  alkyl;

(C) or wherein  $R^3$  and  $R^4$ , together with the nitrogen atom to which they are attached, form a morpholine, piperazine or piperazine *N*-( $C_{1-4}$ )alkyl ring; and

wherein said alkyl or alkenyl groups ~~or moieties~~ are optionally substituted with halogen, cyano,  $C_{1-6}$  alkoxy,  $C_{1-6}$ alkylcarbonyl,  $C_{1-6}$  alkoxy carbonyl,  $C_{1-6}$  haloalkoxy,  $C_{1-6}$  alkylthio, tri( $C_{1-4}$ )alkylsilyl,  $C_{1-6}$  alkylamino or  $C_{1-6}$ dialkylamino;

and wherein said morpholine and piperazine rings are optionally substituted with  $C_{1-4}$  alkyl;

and wherein said aryl groups ~~or moieties~~ are optionally substituted with one or more substituents selected from the group consisting of halo, hydroxy, mercapto,  $C_{1-6}$  alkyl,  $C_{2-6}$  alkenyl,  $C_{2-6}$  alkynyl,  $C_{1-6}$  alkoxy,  $C_{2-6}$  alkenyloxy,  $C_{2-6}$ alkynyloxy, halo( $C_{1-6}$ )alkyl, halo( $C_{1-6}$ )alkoxy,  $C_{1-6}$  alkylthio, halo( $C_{1-6}$ )alkylthio, hydroxy( $C_{1-6}$ )alkyl,  $C_{1-4}$  alkoxy( $C_{1-6}$ )alkyl,  $C_{3-6}$  cycloalkyl,  $C_{3-6}$  cycloalkyl( $C_{1-4}$ )alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR<sup>'''</sup>R<sup>'''</sup>, -NHCOR<sup>'''</sup>, -NHCONR<sup>'''</sup>R<sup>'''</sup>, -CONR<sup>'''</sup>R<sup>'''</sup>, -SO<sub>2</sub>R<sup>'''</sup>, -OSO<sub>2</sub>R<sup>'''</sup>, -COR<sup>'''</sup>, -CR<sup>'''</sup>=NR<sup>'''</sup> and -N=CR<sup>'''</sup>R<sup>'''</sup>, in which R<sup>'''</sup> and R<sup>'''</sup> are independently hydrogen,  $C_{1-4}$ alkyl, halo( $C_{1-4}$ )alkyl,  $C_{1-4}$  alkoxy, halo( $C_{1-4}$ )alkoxy,  $C_{1-4}$  alkylthio,  $C_{3-6}$  cycloalkyl,  $C_{3-6}$  cycloalkyl( $C_{1-4}$ )alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen,  $C_{1-4}$  alkyl or  $C_{1-4}$  alkoxy.

7. (Previously presented) A compound according to claim 1 wherein R<sup>1</sup> is optionally substituted phenyl.

8. (Previously presented) A compound according to claim 1 wherein:

R<sup>1</sup> is phenyl optionally substituted with from one to five halogen atoms or with from one to three substituents selected from the group consisting of halo, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub>alkoxy and halo(C<sub>1-4</sub>)alkoxy; and

wherein R<sup>3</sup> is C<sub>1-4</sub> alkyl or halo(C<sub>1-4</sub>) alkyl; and R<sup>4</sup> is H;

or wherein R<sup>3</sup> and R<sup>4</sup> together form a C<sub>4-6</sub> alkylene chain optionally substituted with methyl;

or wherein R<sup>3</sup> and R<sup>4</sup> together with the nitrogen atom to which they are attached, form a morpholine or piperazine N-(C<sub>1-4</sub>)alkyl ring, in which the morpholine or piperazine rings are optionally substituted with methyl.

9. (Previously presented) A compound according to claim 1 wherein:

R<sup>1</sup> is phenyl optionally substituted with from one to five halogen atoms; and

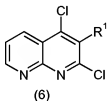
wherein R<sup>3</sup> is C<sub>1-4</sub> alkyl; and R<sup>4</sup> is H;

or wherein R<sup>3</sup> and R<sup>4</sup> together form a C<sub>4-6</sub> alkylene chain optionally substituted with methyl;

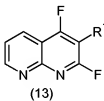
or wherein R<sup>3</sup> and R<sup>4</sup>, together with the nitrogen atom to which they are attached, form a morpholine ring.

10. (Previously presented) A process for preparing a compound of the general formula (1) according to claim 1 wherein R is chloro or fluoro, comprising:

(A) reacting an amine of the general formula NR<sup>3</sup>R<sup>4</sup> with a compound of the general formula (6) or (13):



(6)



(13)

wherein R<sup>1</sup>, R<sup>3</sup> and R<sup>4</sup> are as defined in claim 1.

11. (Original): A plant fungicidal composition comprising a fungicidally effective amount of a compound as defined in claim 1 and a suitable carrier or diluent therefor.

12. (Previously presented) A method of combating or controlling phytopathogenic fungi which comprises applying to a plant, to a seed of a plant, to the locus of the plant or seed or to soil, a fungicidally effective amount of a compound according to claim 1.